



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: **MOREH et al.**
or (title): **FEDERATED AUTHENTICATION SERVICE**

Filing Date: **04/07/2001**
Serial No: **09/827,697**

Examiner: **SHEIKH, Ayaz**
Art Unit: **2155**

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313

Certificate of Mailing (37 CFR 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JUNE 18, 2003
(Date)

Patricia Beilman
(Signature of person mailing paper)

Patricia Beilman
(Typed or printed name of person mailing paper)

RECEIVED

PETITION TO MAKE SPECIAL
37 C.F.R. 1.102 and MPEP § 708.02(VIII)

JUN 24 2003

Sir:

Technology Center 2100

1. Petition (MPEP § 708.02(VIII)(A))

Applicant hereby petitions to make this new application special. This application has not received any examination by the Examiner.

2. Fee (MPEP § 708.02(VIII)(A))

Enclosed please find a check for what is understood to be the appropriate fee for this petition (37 CFR 1.17(i)). At any time during the pendency of this application, please charge any fees required or credit any overpayments to deposit account **08-3240**.

3. Claims (MPEP § 708.02(VIII)(B))

All of the claims in this case are directed to a single invention. If the Office determines that all of the claims presented are not directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

06/23/2003 MDAMTE1 00000006 09827697

01 FC:1460

130.00 OP

4. Search (MPEP § 708.02(VIII)(C))

We have made or caused to be made a careful and thorough search of the prior art. This case is the parent of corresponding Int. App. No. PCT/US02/08796. In prosecution of the child case under the Patent Cooperation Treaty (PCT) an International Search Report (ISR) was prepared by the United States Patent and Trademark Office acting in its capacity as an International Search Authority (ISA/US).

A copy of that ISR is enclosed.

5. Examination (optional)

We have furthermore caused to be made a careful and thorough examination of Int. App. No. PCT/US02/08796. An International Preliminary Examination Report (IPER) was also prepared by the United States Patent and Trademark Office, acting in its capacity as an International Preliminary Examination Authority (IPEA/US).

A copy of that IPER is also enclosed.

6. Copies (MPEP § 708.02(VIII)(D))

Submitted herewith are copies of each of the references considered to be relevant to the subject matter of the claimed invention by the ISA/US and which are listed in the ISR. No additional references are cited in the IPER.

7. Discussion (MPEP § 708.02(VIII)(E))

Discussion of the references considered to be relevant appears in the ISR noted above, and is hereby incorporated by reference. The ISR indicates that U.S. classifications 709/229, 202, 217 were searched. The West and STN databases were used, searching with the key words “authentication,” “agent,” “client,” “proxy,” and “server application.” Both the ISR and the IPER were prepared under the direction of PCT Authorized Officer Ayaz R. Sheikh, who has many years of experience and continues as an Examiner in the United States Patent and Trademark Office.

Turning now to the substance of the ISR, four references are cited there as documents considered to be relevant. Both U.S. Pat. No. 6,134,658 by MULTERER et al. and U.S. Pat. No. 6,092,199 by DUTCHER et al. are cited as “A” category documents. The legend of the ISR

explains that an “A” category document is a “*document defining the general state of the art which is not considered to be of particular relevance.*” Applicant agrees with this characterization, and no further remarks are made herein with respect to these two documents.

In contrast, both U.S. Pat. No. 6,324,648 by GRANTGES Jr. and issuing 27 Nov. 2001 (hereinafter Grantges ‘648), and U.S. Pat. No. 6,219,790 by LLOYD et al. and issuing 17 Apr. 2001 (hereinafter Lloyd ‘790) are cited as documents being in both of the “Y” and “P” categories. The legend of the ISR explains that a “Y” category document is a “*document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.*” The legend of the ISR further explains that a “P” category document is a “*document published prior to the international filing date but later than the priority date claimed.*”

Continuing now with respect specifically to the Grantges ‘648 document, the ISR particularly cites its Abstract; Figs. 1, 6-7; and “*Col. 57 [SIC; Col. 12, Line 57] to col. 14, Line 24*” as being relevant to claims 1-42 in Int. App. No. PCT/US02/08796. Claims 1-42 in Int. App. No. PCT/US02/08796 are word-for-word duplicates of claims 1-42 (all) in the present application. Based upon review and Applicant’s own knowledge and belief, it sees no reason to question that Grantges ‘648 is any more relevant than the ISR indicates.

Continuing now with respect specifically to the Lloyd ‘790 document, the ISR particularly cites its Abstract; Col. 2, Line 48 to Col. 3, Line 45; and Col. 4, Line 23 to Col. 6, Line 32 as being relevant to claims 1-42 in Int. App. No. PCT/US02/08796 (and thus implicitly relevant also to all of the claims in the present application). Based upon review and Applicant’s own knowledge and belief, it also sees no reason to question that Lloyd ‘790 is any more relevant than the ISR indicates.

Accordingly, we respectfully urge that the ISR supports that a careful and thorough search of the prior art has been performed and, for this reason alone, that this petition should be granted.

Furthermore, we submit that the IPER for Int. App. No. PCT/US02/08796 is an additional reference document having relevance to both the present application and the granting of this petition. In Box I, the IPER details the basis of its examination, that being a specification that corresponds word-for-word with that of the present application. Box V.1 of the IPER states

the finding that claims 1-42 of Int. App. No. PCT/US02/08796 (corresponding word-for-word with the claims in the present application) have novelty, inventive step, and industrial applicability. And of particular present significance, Box V.2 of the IPER includes a detailed statement of citations and explanations in support of this finding. Finally, we note again that both the ISR and the IPER here were prepared under the direction of Ayaz R. Sheikh, a PCT Authorized Officer who coincidentally has many years of experience and continues as an Examiner in the United States Patent and Trademark Office.

Accordingly, we respectfully urge that the IPER supports the ISR, and that a careful and thorough search of the prior art has been performed and, for this reason as well, that this petition should be granted.

CONCLUSION

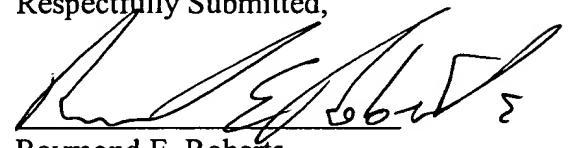
We respectfully urge that all requirements for a petition to make special in this case have now been complied with and we request that this petition be granted.

Intellectual Property Law Offices
1901 S. Bascom Ave., Suite 660
Campbell, CA 95008

Telephone: 408.558.9950
Facsimile: 408.558.9960
E-mail: RRoberts@iplo.com

Customer No. 32112

Respectfully Submitted,


Raymond E. Roberts
Reg. No.: 38,597

